

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA)
vs.) 4:15CR 404-8
Velazquez, et al) Hon. Nanette A. Baker

MOTION TO CONTINUE

Comes now the undersigned attorney, Beau B. Brindley, on behalf of defendant DERRICK TERRY and respectfully moves this Honorable Court to continue the potential conflict of interest hearing scheduled for September 30, 2016.

1. During the undersigned's original telephonic appearance on this matter, the Court set the potential conflict of interest hearing for September 23, 2016 at the undersigned's request. The undersigned is currently engaged in a multi-defendant racketeering conspiracy trial in the Northern District of Illinois (*U.S. v. Chester*, 13 R 774) and has availability to appear on other cases on Fridays. The undersigned was available on September 23, 2016 when the case was set.

2. The Court recently reset the date for the hearing to September 30, 2016 *sua sponte*. On September 30, 2016, the undersigned has a sentencing scheduled in *U.S. v. Jobava* (13 CR 37) in the Northern District of Illinois at 10:00 am. Additionally, the undersigned also has a meeting at the United States Attorney's Office on September 30, 2016. It is a time sensitive matter regarding an out of state attorneys, multiple agents, and very sensitive information. That date cannot be changed. Therefore, the undersigned needs to either (1) reset this matter to October 14, 2016 when he can be available; or (2) send his associates, who will be filing am motion for *pro hac vice* appearance as

additional counsel on the case on September 24, 2016, to appear in person while the undersigned appears telephonically. The undersigned requests that the matter be reset to October 14 if possible. Otherwise, the undersigned will send his associate to accommodate the demands of this Court's schedule.

WHEREFORE, Mr. Terry moves this honorable Court to continue the potential conflict of interest hearing set for September 30, 2016 or allow the undersigned's associate to appear in person at that hearing while the undersigned appears telephonically.

Respectfully submitted,
DERRICK TERRY

By: s/ Beau B Brindley

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